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**TO: Economic Support Supervisors
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Workforce Development Boards
Job Center Leads and Managers**

**FROM: Amy Mendel-Clemens
Technical Assistance, Training & Education
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Division of Health Care Financing**

BEM/DWS OPERATIONS MEMO			
No: 05-42			
DATE: 10/10/2005			
FS	<input type="checkbox"/>	MA	<input type="checkbox"/>
CTS	<input type="checkbox"/>	CC	<input checked="" type="checkbox"/>
FSET	<input type="checkbox"/>	EA	<input type="checkbox"/>
JAL	<input type="checkbox"/>	JC	<input type="checkbox"/>
WIA	<input type="checkbox"/>	Other	<input type="checkbox"/>
		EP	<input type="checkbox"/>
			<input type="checkbox"/> ★
PRIORITY: HIGH			

SUBJECT: CHILD CARE (CC) CHANGES IN BIENNIAL BUDGET ACT

CROSS REFERENCE: Day Care Manual, Chapter 2, sections 1.1.1. 2.2.0., 2.3.2.1.,
2.3.2.2.
Day Care Manual, Chapter 3, section 2.1.1.
Operations Memo 04-46

EFFECTIVE DATE: JULY 27, 2005

PURPOSE

This memo identifies the changes in policy and automation that relate to the Wisconsin Shares child care subsidy program based on 2005 Wisconsin Act 25, the recent Biennial Budget Act.

BACKGROUND

The 2005 Wisconsin Act 25 amended Wis. Statute 49.155(1m) to:

1. No longer require the parent to be a U.S. citizen or qualified alien when determining non-financial eligibility, and
2. Apply the eligibility requirements for foster care parents to subsidized guardians.

The 2005 Wisconsin Act 25 created Wis. Statute 49.155 (6) (cm) to modify reimbursement rates so that the rate reflects the price charged for before and after school care.

NEW POLICY**CITIZENSHIP POLICY**

The parent is no longer required to be either a U.S. citizen or a qualified alien in order for the child care assistance group (CC AG) to be eligible. The child that will receive the child care benefit is required to be either a U.S. citizen or a qualified alien. If there is one child who is a U.S. citizen or qualified alien and all other eligibility criteria has been met, the CC AG will open and the children who are U.S. citizens or qualified aliens will be eligible.

NOTE ➤ The individuals who are in the CC AG who are not U.S. citizens or qualified aliens are not required to have a SSN or cooperate in obtaining a SSN in order for the CC AG to be eligible.

All other non-financial and financial eligibility requirements (as indicated in the Day Care Manual, Chapter 2) must continue to be met including:

- Wisconsin residency requirements
- Cooperating with Child Support
- Providing agency with any relevant information needed to determine eligibility timely (including income verification)
- Being in an approved activity
- Being income eligible

Regardless of the citizenship status, the CC AG will continue to include the parent, the parent's spouse or non-marital co-parent, the parent's minor children, and the minor children of the spouse or non-marital co-parent as described in the Day Care Manual, Chapter 2, section 1.1.1.

Example: The household consists of mom, her husband, and their 2 children. Mom and dad are not U.S. citizens or qualified aliens. Child 1 is 3 years old and is a U.S. citizen. Child 2 is 5 years old and is not a U.S. citizen or qualified alien. The CC AG meets all other eligibility criteria. The CC AG consists of 4 individuals; mom, dad, Child 1, and Child 2. The FPL income is tested against a group size of 4. Child 1 is the only child eligible to receive a child care authorization.

Automation of Citizenship Policy

The Child Care Section is working to change CARES/CWW logic to reflect this policy. Another Operations Memo will be issued when the final automation is in place. There is workaround in CARES until the changes have been completed to implement the policy.

The workaround is as follows:

1. Enter the case as per current policy/process. Identify on ANDA or Permanent Demographics whether the individual is a U.S. citizen or qualified alien. If the individual is not a U.S. citizen or qualified alien, enter the Alien Registration Status Code for the individual as either 09 – Undocumented Alien or 10 – Illegal Alien on ANAR or Alien/Refugees.
2. Enter “Y” on ANDC or Current Demographics for “SSN Cooperation” as a workaround for the undocumented or illegal alien individual(s).
3. The CC AG will fail when SFED/SFEX is run if the individual is not a U.S. citizen and the Alien Registration Status Code is 09 or 10.

4. While running SFED/SFEX, stop on SFCC and complete the override:
 - The ineligible alien parent who should be included in the CC AG fiscal test by using <IA> (included adult) as the participation status code and use the composition reason code 039. This will include the parent in the group size for income eligibility testing but fail the individual reason <039 Is neither a citizen nor a qualifying alien> for eligibility.
 - Other ineligible alien siblings, who should be included in the CC AG fiscal testing by using <IC> (included child) as the participation status code and use composition reason code <039>. This will include the sibling in the group size income test for eligibility but fail the individual eligibility reason <039 Is neither a citizen nor a qualifying alien> for eligibility.
 - The citizen or qualifying alien child by using <EC> (eligible child) to pass the eligible child for CC.
5. Confirm the override passing the CC AG on AGECE.
6. Authorize the children who are U.S. citizens or qualified aliens.

If you have questions regarding this process, please contact the CARES Call Center.

SUBSIDIZED GUARDIANSHIP POLICY – MILWAUKEE COUNTY ONLY

Department of Health and Family Services (DHFS) has created a new program of subsidized guardians. Subsidized guardians are foster care parents who will receive guardianship of the foster care child. The subsidized guardian will continue to receive a benefit to help pay for the costs of raising the child. The subsidized guardian will no longer be required to have the court order for foster care reviewed each year. The subsidized guardianship program will only be effective in Milwaukee County until further notice.

Milwaukee County can contact Dan Wendt, from DHFS Bureau of Milwaukee Child Welfare, at 414-220-7025 if they need to verify that an individual is a subsidized guardian. Workers should indicate in case comments if a child is in subsidized guardianship.

Subsidized guardians will have the same eligibility requirements and zero copay status as foster care parents. Also, benefits received for subsidized guardians will be disregarded in the gross income amount used to determine eligibility for the subsidized guardian's natural or adopted children. See the Day Care Manual, Chapter 2, sections 2.2.1., 2.2.2., 2.3.2.1., and 2.3.2.2. for eligibility requirements for foster care parents. See the Day Care Manual, Chapter 3, section 2.1.1. for copay requirements for foster care parents.

Automation of Subsidized Guardianship Policy

The same process used to identify foster care children in CARES/CWW will be used to identify children in the care of subsidized guardians. The field name for the FSTR CARE field on the ANBR screen in CARES has been changed to FSTR/SUBG. SUBG stands for subsidized guardianship. The child in subsidized guardianship should be coded in CARES on screen ANBR as receiving benefits and court ordered in the FSTR/SUBG fields. This will schedule the CARES screen ANKF in the driver flow which will allow the worker to enter the natural parents' gross income and eligibility status.

In CWW, the child in unsubsidized guardianship should be identified as receiving foster care benefits in the Foster Care field on the Benefits Received page. There is no need to identify the child as being court ordered for foster care benefits in CWW. Once the child has been identified as receiving foster care, the Manual Child Care Eligibility page will be scheduled in CWW. The Foster Care field will be updated in January 2006 to display Foster Care/Subsidized Guardianship.

The benefit amount received for being a subsidized guardian should be entered on screen AFUI in CARES and the Unearned Income page in CWW. The Income Type used should be FO (Foster Care). This will disregard the benefit amount received from the gross income for child care eligibility if the subsidized guardian applies for child care for their natural or adopted children.

Use the copay type FOS (Foster Care) when entering an authorization in CSAW on the New Authorization page to a child who is in subsidized guardianship.

BEFORE AND AFTER SCHOOL RATE POLICY

The before and after school rate must be used when authorizing school age children to a licensed group, licensed family, certified school age, or public school child care program for before and after school hours. Under this policy, school age children are defined as children 7 years and older.

Providers must submit a before and after school price to the local agency in order for the local agency to authorize a school age child for before and after school care.

If the child care program does not have a before and after school rate, school age children will not be able to be authorized to that program for before and after school care.

If a school age child needs child care for more than 20 hours per week due to the need for second/third shift care or weekend care, the provider's regular fulltime rate can be used.

This policy does not apply to certified providers as provider rates are not collected for certified providers.

Automation of Before and After School Rate Policy

Local agencies should apply this policy immediately. CSAW currently has two different rate types for licensed providers: Regular and B/A School. When authorizing to a licensed child care program for a school age child for before and after school, select the B/A School rate type. If the error message appears that B/A School Rates do not exist, do not authorize to the provider until the rate is entered. The B/A School Rates should be collected and entered into CSAW. This policy was issued in Operations Memo 04-46. B/A School Rates were also collected in this year's survey for rates.

There are future plans to add an edit that will not allow an authorization to be entered for a school age child to a licensed program during the school year without using the B/A School rate type. If a school age child requires an authorization to a licensed provider for 30 or more hours, the authorized rate will be calculated using the provider's regular/fulltime rate and entered into CSAW. There are plans to automate the worksheets used to complete calculations not done through the regular authorization process. An operations memo will be issued when these CSAW changes are ready for production.

CONTACTS

BEM CARES Information & Problem Resolution Center

★Program Categories – FS – FoodShare, MA – Medicaid, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – Food Stamp Employment and Training, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC – Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.
DWD/DWS/BDS/RB